

and to strengthen private property ownership in rural communities.

I understand why Senator REID offered this amendment. Mexico is important to the United States, and it deserves our attention. But I voted against this amendment. Let me explain why.

A better way to improve Mexico's economy, including its rural economy, is not through foreign assistance from the United States, but through trade. As recently noted by the Ambassador of Mexico to the United States, Mexico has been transformed in recent years through trade liberalization, and in particular through the NAFTA.

Mexico's exports to the world grew from \$50 billion to \$160 billion between 1993 and 2001. Total trade between the United States and Mexico increased from \$88 billion to \$250 billion between 1993 and 2002.

Mexico's agricultural producers have shared in the benefits of NAFTA. Between 1993 and 2001, Mexican agricultural exports to the United States rose by almost 97 percent. Some 78 percent of all Mexican agricultural exports are shipped to the United States, and the United States is by far Mexico's largest agricultural export destination.

While well intentioned, increased foreign aid from the United States, such as through Senator REID's amendment, will make little difference to the Mexican economy. Clearly, Mexico's leaders recognize that the best means of achieving a healthier Mexican economy, including Mexico's rural economy, is through continued strong trade ties with the United States.

Regardless, some of these same leaders seem to be losing interest in maintaining strong trade relations between our countries. They are doing this by attempting unilaterally to renegotiate agricultural provisions of the NAFTA.

Mexico has imposed, or threatened to impose, restrictions on the importation of a variety of U.S. agricultural products. These products include pork, beef, corn, and high fructose corn syrup, all of which are major Iowa commodities. I spoke on this situation just last month on the Senate floor, so I will not go into the specifics on Mexico's trade restrictions on these commodities.

Given barriers imposed by Mexico on U.S. agricultural products, now is clearly not the proper time to increase foreign aid to Mexico. Mexico's trade policies are harming farmers in Iowa and other states. Providing more foreign aid to Mexico sends the wrong signal. I realize that Senator REID's amendment to increase foreign aid has already passed the Senate. But until such time as Mexico's agricultural trade barriers are removed, I urge Senators to keep them in mind when voting on any future legislation involving foreign aid for Mexico.

At the same time, I hope that Mexico will realize that by not abiding by its NAFTA commitments, and by thus threatening its trade relations with the United States, it is doing little to improve the lives of rural Mexicans.

In fact, any reduction in trade between our two countries would likely lead to increased economic hardship in Mexico. Such a situation would benefit neither Mexico nor the United States.

Once again, as I did last month, I urge officials in Mexico to consider the effects that Mexico's barriers to imports of U.S. agricultural products are having on overall trade relations between the United States and Mexico. Mexicans, including those living in rural areas, have much more to gain from closer economic ties to the United States than from increased foreign aid.

#### LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the Local Law Enforcement Enhancement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred in Medford, OR. On January 30, 2003, three Oregon National Guardsmen beat a homeless man then attacked a Medford motel owner whom they believed was an Arab. One of the men committed suicide after the attack and the other two pled guilty to hate-related charges.

I believe that government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

#### FAMILY FARMER BANKRUPTCY PROTECTION, H.R. 2465

Mr. LEAHY. Mr. President, I am pleased that the Senate is finally considering legislation to renew family farmer bankruptcy protection, which expired on July 1.

More than a month ago, on June 23, the House of Representatives passed H.R. 2465 by an overwhelming vote of 379-3. This legislation will retroactively renew and extend family farmer bankruptcy protection until January 1, 2004. Senator FEINGOLD, Senator GRASSLEY and I have been urging for weeks that the Senate majority leadership bring up this House-passed bill to retroactively renew Chapter 12 of the Bankruptcy Code.

Senator GRASSLEY and I introduced S. 1323, the companion bill to this legislation to temporarily extend these protections that our farmers have come to rely upon. But this is just a short term fix. We need to stop playing politics and permanently reauthorize the Chapter 12 family farmer protections.

Too many family farmers have been left in legal limbo in bankruptcy

courts across the country because Chapter 12 of the Bankruptcy Code is still a temporary measure. This is the sixth time that Congress must act to restore or extend basic bankruptcy safeguards for family farmers because Chapter 12 is still a temporary provision despite its first passage into law in 1986. Our family farmers do not deserve these lapses in bankruptcy law that could mean the difference between foreclosure and farming.

In 2000 and 2001, for example, the Senate—then as now controlled by the other party—failed to take up a House-passed bill to retroactively renew Chapter 12. As a result, family farmers lost Chapter 12 bankruptcy protection for 8 months. Another lapse of Chapter 12 lasted more than 6 months in the previous Congress. At the end of June, Chapter 12 lapsed once again. Enough is enough. It is time for Congress to make Chapter 12 a permanent part of the Bankruptcy Code to provide a stable safety net for our nation's family farmers.

Last year, I strongly supported former Senator Carnahan's bipartisan amendment to make Chapter 12 permanent as part of the Senate-passed farm bill. The Senate unanimously approved the Carnahan amendment by a 93-0 vote. Unfortunately, the House majority objected to including the Carnahan amendment in the farm bill conference report and agreed to an extension of Chapter 12 only through the end of 2002. Thus, at the tail end of the last Congress, we had to pass yet another six-month extension of basic bankruptcy protection for family farmers.

In the bipartisan bankruptcy reform conference, we again tried to make Chapter 12 permanent and update and expand its coverage. During our conference negotiations, we adopted most of the Senate-passed provisions, including those authored by Senator GRASSLEY to make Chapter 12 permanent and those authored by Senator FEINGOLD to strengthen Chapter 12 to help our family farmers with the difficulties they face.

Unfortunately, the House majority again scuttled our bipartisan efforts by failing to pass the rule to consider the bipartisan conference report on the Bankruptcy Abuse Prevention and Consumer Protection Act.

It is time to end this absurdity and make these bankruptcy protections permanent. Everyone agrees that Chapter 12 has worked. When this bill passed in the House, Chairman SENSENBRENNER praised Chapter 12, but then only proposed reauthorizing it for 12 months. He admitted that the only reason his bill, which we are finally passing today, did not permanently reauthorize Chapter 12 was because it is being used as leverage for the controversial larger bankruptcy reform bill. That is unfortunate.

I will continue to work hard with Senator GRASSLEY, Senator FEINGOLD and others on both sides of the aisle to pass legislation that once and for all

assures our farmers of permanent bankruptcy protection to keep their farms. In the meantime, we should quickly pass this legislation and end another lapse in this basic bankruptcy protection for our family farmers.

#### HAWAII AND SHIPPING CONTAINER SECURITY

Mr. AKAKA. Mr. President, I rise today to address the continued need to secure our Nation's shipping containers.

The U.S. economy is heavily dependent on the normal flow of commerce and the security of our Nation's ports. Over the past 6 years, commercial cargo entering America's ports has nearly doubled. About 7 million shipping containers arrive in U.S. seaports each year.

The Department of Homeland Security recently proposed new regulations to improve shipping container security by requiring advance information in electronic format for cargo entering and exiting the United States.

In my view, the Department needs to do more. To improve container security we must ensure that shipping container security programs are effective by having the right personnel and the right management strategies in place.

Currently the Customs Service administers two container security programs within the Department of Homeland Security: the container security initiative, known as CSI, and the customs-trade partnership against terrorism, or C-TPAT. By 2004, the Department plans to increase the funding for CSI fourteenfold and for C-TPAT by 50 percent.

A July 2003 General Accounting Office, GAO, review on container security programs raises concerns that the Customs Service has not taken the steps required to ensure the long-term success and accountability of CSI and C-TPAT. According to the GAO report, Customs has reached a critical point in the management of CSI and C-TPAT and must develop plans to address workforce needs to ensure the long-term success of these programs.

As a Senator from a State reliant on shipped products, I understand the importance of container security. My State is uniquely vulnerable to disruptions in the normal flow of commerce. In fact, 98 percent of the goods imported into Hawaii are transported by sea.

Honolulu Harbor received more than 1 million tons of food and farm products and over 2 million tons of manufactured goods per year. In 2002, Honolulu received 1,300 foreign ships and about 300,000 containers. Over 8 million tons of these goods arrive at Honolulu Harbor, which receives one-half of all cargo brought into the State.

This is why I support GAO's recommendation that Customs develop strategic plans that clearly identify the objectives the programs are intended to achieve and to enhance performance measures.

I urge the Department of Homeland Security to implement GAO's recommendation by developing workforce plans and strategies to strengthen container security and to attract, train, and retain workers within CSI and C-TPAT. This is no small challenge. By the end of 2004, Customs expects to hire 120 staff for CSI and increase staffing levels in C-TPAT by fifteenfold. Moreover, it is estimated that 46 percent of the Customs workforce will be eligible to retire by 2008.

Now more than ever, agencies must have the plans and strategies in place to recruit personnel with the skills necessary to protect our country. As the U.S. Commission on National Security/21st Century concluded in 2001:

... [T]he maintenance of American power in the world depends upon the quality of U.S. government personnel, civil and military, at all levels ... The U.S. faces a broader range of national security challenges today, requiring policy analysts and intelligence personnel with expertise in more countries, regions, and issues.

To meet these national security challenges, workforce and strategic planning for CSI and C-TPAT deserve the full attention of the Department of Homeland Security.

Such attention is critical for a State like Hawaii that is uniquely dependent on shipping of goods. The potential consequences of a terrorist incident using a shipping container are, in the words of Customs Service Commissioner Bonner, "... profound ... no ships would be allowed to unload at U.S. ports after such an event."

I look forward to working with the Department to ensure that the foundation is in place for CSI and C-TPAT to secure shipping containers over the longterm.

#### HONORING OUR ARMED FORCES

##### SPECIALIST MICHAEL DEUEL

Mr. THOMAS. Mr. President, I rise today to speak about a young man from my State who selflessly performed as his country asked. While doing so Army SP Michael R. Deuel was killed in Iraq on June 18 while on guard duty at a propane distribution center.

Michael was a good soldier and served proudly in the 325th Infantry Regiment's 82nd Airborne Division. He comes from a family of military tradition that he carried with him. It was the Air Force that brought the Deuel family to Wyoming where both parents served on Wyoming's own F.E. Warren Air Force Base.

It is particularly important that at a time like this, as we address legislation and we prepare to adjourn for the month of August and return to our homes to meet with constituents that we take time to remember soldiers such as Specialist Deuel. These are the brave souls who give everything to secure the peace.

Michael joined the Army so he could learn to parachute. Eventually he wanted to become a smoke jumper and fight forest fires. This too is a particularly dangerous job, and as we see through this year's fire season it is critical to the survival of our towns and rural communities in the West. Michael's decision to be in the army and his goals for life after the Army paint a picture of a young man committed to his country and his fellow Americans.

As operations continue in Iraq and the noose tightens around the last remnants of the regime, I offer America's thanks to Michael Deuel and to his family. It takes a special person to answer the call to public service. It is challenging and dangerous. America remains strong and steadfast because of the courage that they have shown in the face of danger.

Thank you for your service and sacrifice. May God bless SP Michael Deuel of the 82nd Airborne Division and may God continue to bless the United States of America.

Mr. BIDEN. Mr. President, I rise today to speak in support of Karen Tandy's nomination to be Administrator of the Drug Enforcement Administration. I am pleased that the Senate confirmed her nomination last night.

I had an opportunity to meet with Ms. Tandy a few weeks ago in my office and I was quite impressed by her. With more than a quarter century of experience in drug enforcement, I believe that she is not only well qualified to be the DEA Administrator, but that she will also bring a passion for drug policy to the job.

Both in her work as a prosecutor and in leadership positions at the Justice Department, Ms. Tandy's focus has been on drug trafficking, money laundering and asset forfeiture. She has served as an Assistant U.S. Attorney in Virginia and Washington State, Chief of Litigation in the Asset Forfeiture Office and Deputy Chief of the Narcotics and Dangerous Drugs Section at Main Justice. For the past 4 years she has served as Associate Deputy Attorney General and the Director of the Organized Crime Drug Enforcement Task Force (OCDETF) program. During that time she has focused the OCDETF program and provided tremendous leadership.

Her nomination has the endorsement of a number of well-respected organizations including the Fraternal Order of Police, the National Troopers Association, the Association of Former Narcotics Agents, the National Narcotics Officers' Association Coalition, the Community Anti-Drug Coalitions of America, the County Executives of America, and the International Union of Police Associations.

Ms. Tandy comes to the DEA at a time when both Federal and State resources for drug investigations are shrinking. I believe that she will have a difficult time fighting for scarce resources and keeping the drug issue on the national agenda.